

REMARKS

The rejection of the claims under 35 U.S.C. § 103(a) is respectfully traversed. The applied references, alone or in combination, fail to provide each and every element of the claims. In particular, the references do not teach or suggest the claim elements of, or similar to:

d) advancing the support containing the log toward a plurality of cutting blades;

e) engaging the log and the cutting blades, whereby the log is sectioned into a plurality of rolls; ...

[Claim 10; see also claims 1, 14, 31, 35 and 39];

nor do the references teach or suggest the claim elements of:

b) advancing the pocket containing the log toward a cutting position;

c) cutting the log into a plurality of rolls in the cutting position; ...

[Claim 5].

Claims 1-13, 31-34 and 39 were rejected under 35 U.S.C. § 103(a) over Blume (U.S. Pat. No. 5,257,898) in view of Perini et al. (EP 0 694 020 B1). The Examiner asserts that the method of cutting a plurality of substrates of Blume can be combined with the method of using a conveyor of Perini. Applicants respectfully point out that there is no motivation to combine the teachings of Blume and Perini et al. Furthermore, the combination of Blume and Perini et al., even if proper, fails to provide each and every element of the claims.

Blume does not describe a method of cutting a plurality of substrates, but rather describes an apparatus for distributing and feeding wound logs. There is no teaching or suggestion in Blume related to cutting logs of material apart from a reference to a "log saw infeed" as a possible destination for the logs [col. 2, lines 64-66]. Figures 1, 2, 4 and 12 in Blume, to which reference is made by the Examiner, do not show any cutting of the logs or any contact of the logs with cutting blades. Rather, the circle illustrated as

intersecting the logs is merely the path of the circular motion of a "rotating arm 51," which functions to displace the log from the rotating wheel 38 [col. 2, line 58 – col. 3, line 21]. Perini et al. likewise does not teach or suggest, nor does the Examiner assert that Perini et al. teaches or suggests, any cutting of the logs or any contact of the logs with cutting blades. The Office Action does not provide a motivation to combine an apparatus for distributing and feeding wound logs as described in Blume with a conveyor as described in Perini et al. Moreover, even if Blume and Perini et al. were combined, the combination of the references does not provide each and every element of the claims.

Claims 14-17 and 35-38 were rejected under 35 U.S.C. § 103(a) over Blume (U.S. Pat. No. 5,257,898) in view of Perini et al. (EP 0694020 B1) and Spencer (U.S. Pat. No. Re. 30,598). The Examiner asserts that the combination of Blume and Perini et al. can be combined with the blade honing method of Spencer. Applicants respectfully point out that there is no motivation to combine the teachings of Blume, and Perini et al., and Spencer. The Examiner has presented Spencer as providing a method of honing cutting blades; however, there are no cutting blades in Blume or Perini et al. to be honed. The Office Action does not provide a motivation to combine an apparatus for distributing and feeding wound logs as described in Blume and/or a conveyor as described in Perini et al. with a method of honing cutting blades as described in Spencer.

Furthermore, the combination of Blume, Perini et al., and Spencer, even if proper, fails to provide each and every element of the claims. Claims 14-17 and 35-38 include the claim elements recited above, and the combination of Blume and Perini et al. does not teach or suggest these elements. Likewise the Spencer reference, alone or in combination with Blume and/or Perini et al., does not teach or suggest these claim elements. Thus, the combination of references does not provide each and every element of the claims.

Beyond the rejections based on references, Applicants note the taking of "Official Notice" by the Examiner in relation to a web having a moisture content of at least about 50% or 65%. Applicants understand this taking as an effort to supply claim

elements from the Examiner's personal knowledge. As noted in the MPEP 2144.03, with reference to 37 CFR 1.104(d)(2):

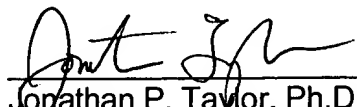
When a rejection is based on facts within the personal knowledge of the examiner, the data should be stated as specifically as possible, and **the facts must be supported**, when called for by the applicant, by an affidavit from the examiner. [Emphasis added]

Accordingly, applicants hereby request, under 37 CFR 1.104(d)(2), that the Examiner provide an affidavit in support of the Official Notice taken based on the Examiner's personal knowledge.

Applicants further respectfully point out that the Office Action does not provide a motivation to combine any of the cited references with a web having a moisture content of at least about 50% or 65%. The Examiner asserts that such a web would have increased softness and flexibility of the web. However the Office Action fails to describe why one would be motivated to use any of the cited references, alone or in combination, with a web that is more soft and flexible.

In conclusion, all of the grounds raised in the outstanding Office Action for rejecting the application are believed to be overcome or rendered moot based on the remarks above. Thus, it is respectfully submitted that all of the presently presented claims are in form for allowance, and such action is requested in due course. Should the Examiner feel a discussion would expedite the prosecution of this application, the Examiner is kindly invited to contact the undersigned.

Respectfully submitted,


Jonathan P. Taylor, Ph.D.
Registration No. 48,338
Agent for Applicant

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200